

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gilles Benoit et al.                      Art Unit : 2874  
Serial No. : 10/733,873                              Examiner : Omar R. Rojas  
Filed : December 10, 2003                      Conf. No. : 8066  
Title : FIBER WAVEGUIDES AND METHODS OF MAKING SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), MASSACHUSETTS INSTITUTE OF TECHNOLOGY, a university, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of:

☒ An assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 014818, Frame 0911 on July 6, 2004.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a provisional double patenting rejection in the parent application to the present application, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of the patent to issue from U.S. application serial no. 10/196,403, in the event the 10/196,403 application issues, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with the patent to issue from U.S. application serial no. 10/196,403.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of the patent to issue from U.S. application serial no. 10/196,403 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a

reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of the patent to issue from U.S. application serial no. 10/196,403.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

The fees in the amount of \$130 for the required fee pursuant to 37 C.F.R. § 1.20(d) are being paid concurrently on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other required fees to Deposit Account No. 06-1050, referencing 13445-030001.

Respectfully submitted,

Date: 12/20/03

  
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